

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In re: Jeffrey Carman	)	Case No. 19-14906
Glenda Carman	)	Chapter 13 Proceedings
Debtors.	)	Judge Jessica E. Price Smith

**CHAPTER 13 TRUSTEE'S OBJECTION TO DEBTORS'  
MODIFIED PLAN**

Now comes **LAUREN A. HELBLING**, the duly appointed and qualified Standing Chapter 13 Trustee ("Trustee") herein, by and through counsel, and hereby objects to the Debtors' Modified Plan filed with this Court on February 24, 2020 (hereinafter "Debtors' Modified Plan"). In support of her objection, the Trustee makes the following representations to the Court:

1. The Debtors' proposed plan should comply with 11 U.S.C. §1325(a). The Trustee does not believe Debtors' proposed plan has been offered in good faith. The figures now offered for the Debtors' non-residential real estate propose to retain real estate at a loss to general unsecured creditors. The non-residential real estate parcels should be surrendered.
2. In addition, it appears Debtors are proposing to cram down the mortgage on their residential real estate which contradicts Section 1322(b)(2) of the Bankruptcy Code.

**WHEREFORE** your Trustee, being a proper party in interest, hereby moves this Honorable Court to deny the Debtors' Modified Plan for the reasons cited.

Respectfully submitted,

/S/ Holly Davala

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HOLLY DAVALA (#0070447)

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**CERTIFICATE OF SERVICE**

I certify that on March 3, 2020, a true and correct copy of Trustee's Objection was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

William C. Behrens, Attorney, on behalf of Debtors at [billbehrens@dannlaw.com](mailto:billbehrens@dannlaw.com)

/S/ Holly Davala

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